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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor(s): Apollon Papadimitriou

Group: 1653

Serial No.: 09/853,731, filed May 11, 2001  
(Reference No. 20619 US)

Examiner: Kam C.

For: **ERYTHROPOIETIN COMPOSITION**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Nutley, New Jersey 07110

Date: August 10, 2004

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to the documents listed on enclosed Form PTO-1449.

Documents B5-B9 listed on Form PTO-1449 are enclosed. Document B9, which is not written in the English language, is abstracted in Document B9(a) (submitted herewith).

Documents A2-A8 are not enclosed because they are U.S. Patents.

Consideration of all the documents cited on Form PTO-1449 is requested.

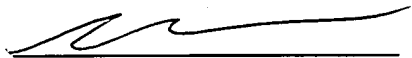
08/16/2004 DEMMANU1 00000003 082525 09853731

01 FC:1806 180.00 DA

Serial No. 09/853,731  
Filed: May 11, 2001

Since the Supplemental Information Disclosure Statement is submitted after a Final Action or Notice of Allowance, Applicants petition that the Supplemental Information Disclosure Statement be considered. Submitted is a Fee Sheet.

Respectfully submitted,



Attorney for Applicant(s)  
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144835



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application

Hoffmann-La Roche Inc.  
340 Kingsland Street  
Nutley, NJ 07110  
August 10, 2004

Inventors: Apollon Papadimitriou

Serial No.: 09/853,731

Group: 1653

Filed: May 11, 2001  
(Reference No. 20619 US)

Examiner: Kam C.

For: **ERYTHROPOIETIN COMPOSITION**

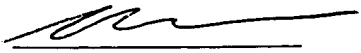
**REQUEST TO CHARGE DEPOSIT ACCOUNT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

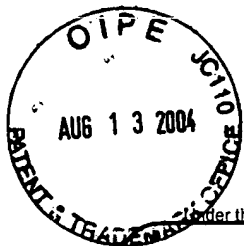
Sir:

Transmitted herewith is a **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT** in the above-identified application.

- ☒ Please charge my Deposit Account No. 08-2525 in the amount of \$180.00 which is the fee in connection with the filing of the enclosed paper.
- ☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 08-2525.
- ☒ This sheet is provided in duplicate.

  
Attorney of Record  
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144839



PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031  
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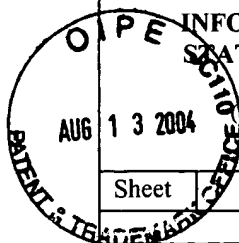
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	<b>09/853,731</b>
	Filing Date	<b>May 11, 2001</b>
	First Named Inventor	<b>Apollon Papadimitriou</b>
	Art Unit	<b>1653</b>
	Examiner Name	<b>Kam C.</b>
Total Number of Pages in This Submission	Attorney Docket Number	<b>20619 US</b>

<b>ENCLOSURES (Check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<b>Remarks</b>  <b>Cited References</b> <b>Fee Sheet</b>	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	<b>Patricia S. Rocha-Tramaloni</b>	
Signature		
Date	<b>AUG 10, 2004</b>	

<b>CERTIFICATE OF TRANSMISSION/MAILING</b>		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	<b>Patricia S. Rocha-Tramaloni</b>	
Signature		Date <b>8/10/2004</b>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Substitute for form 1449A/PTO		<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use several sheets if necessary)		Application Number	09/853,731	
		Filing Date	May 11, 2001	
		First Name Inventor	Papadimitriou, Apollon	
		Group Art Unit	1653	
		Examiner Name	Kam, C.	
Sheet	of	1	Attorney Docket Number	20619 US

### U.S. PATENT DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	A2	6,696,056		Wing K. Cheung, et al	02-24-2004
	A3	6,120,761		Tadao Yamazaki, et al	09-19-2000
	A4	6,277,367		Tadao Yamazaki, et al	08-21-2001
	A5	6,627,187		Tadao Yamazaki, et al	09-30-2003
	A6	5,716,644		Stephen E. Zale, et al	02-10-1998
	A7	4,732,889		Osamu Cynshi, et al	03-22-1988
	A8	4,806,524		Tsutomu Kawaguchi. et al	02-21-1989

### FOREIGN PATENT DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)		
	B5		01/07075		Aventis Pharmaceuticals, Inc. 02-01-2001	
	B6		00/24893		Amgen Inc. 05-04-2000	
	B7		WO 94/20069		Amgen Inc. 09-15-1994	
	B8		WO 01/12155		Lipocine, Inc. 02-22-2001	
	B9		EP 0456153		Behringwerke AG 11-13-1991	√

Examiner Signature	Date Considered
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.  
<sup>2</sup>Unique citation designation number. <sup>3</sup>See attached Kinds of U.S. Patent Documents. <sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup>Applicant is to place a check mark here if English language Translation or abstract is attached.